IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 6478 of 2003

Between:

1. P.Swamy, S/O. P.MALLAIAH, working in PACS, Varni, r/O. Varni Mandal, Nizamabad District.

2. P.Vara Prasad, S/o. Jagapathi, working in PACS, Varni, Varni Mandal R/o. Varni Mandal, Nizamabad District.

3. D.Gangadhar, S/o. Ganga Ram, working in PACS, Varni, Varni Mandal, Nizamabad District.

..... PETITIONER

AND

1. The Commissioner for Co-operation & Registrar of Co-operative Societies, A.P., Hyderabad.

2. The Divisional Co-operative Officer, Bodhan, Nizamabad District.

3. The Office Incharge/President, P.A.C.S.LTD, Varni, Nizamabad District.

4. The Secretary, P.A.C.S.Ltd., Varni, Nizamabad District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of respondents issuing ROC.No.1/2003, dated 31.3.2003 by the 4th respondent herein in removal of petitioners from the services on the ground that they were appointed in violation of amended Act 2 of 1994 A.P.C.S.S.Act VII of 1964 inspite of issue of regularization orders, dated 05.01.2000 and without issuing any notice before removal is illegal, arbitrary and also violation of principles of natural justice and rules, regulations of the Societies Act on pending of proceedings in effect of services of the employees and consequently direct the respondents not to remove the petitioners as employees of the 3rd respondent

Society without following the principles of natural justice.

Counsel for the Petitioner:MR.KOONA REDDY ANJI REDDY

Counsel for the Respondent Nos. 1 to 3.: GP FOR COOPERATION

Counsel for the Respondent No.4 : Mr.K.Durga Prasad

The Court made the following :

O R D E R:

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The learned counsel appearing for the petitioners submits that this Writ Petition is covered by the judgment of this Court in W.P.No.3171 of 2003 and batch, dated 30.08.2004.

Following the same, this writ petition is dismissed. No costs.

07.09.2004

tjs

SPECIAL OFFICER

//TRUE COPY//

SECTION OFFICER

1.the Commissioner for Co-operation & Registrar of Co-operative Societies, A.P., Hyderabad.

2.The Divisional Co-operative Officer, Bodhan, Nizamabad District.

3.The Office Incharge/President, P.A.C.S.LTD, Varni, Nizamabad District.

4.2 CCs to the G.P.for Co-operation, High Court of A.P., Hyderabad.(OUT)

5.2 C.D.Copies.